

# Court of Appeals, State of Michigan

## ORDER

People of MI v Deandre Taiwan Haywood

Docket No. 345243

LC No. 18-003452-FH

Colleen A. O'Brien  
Presiding Judge

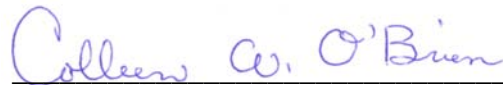
Jane M. Beckering

Anica Letica  
Judges

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In accordance with the Michigan Supreme Court's May 20, 2020 order, *People v Haywood*, \_\_\_ Mich \_\_\_ (2020) (Docket No. 160753), and after plenary consideration of the arguments advanced by the parties on reconsideration, we VACATE our opinion of September 26, 2019, and REINSTATE the prosecutor's first-tier appeal. The failure of this Court to remand this matter to the Wayne Circuit Court for a determination of whether to appoint appellate counsel for defendant-appellee deprived defendant of his right to counsel in a preconviction appeal. See e.g., *People v Murphy*, 481 Mich 919 (2008). This matter is REMANDED to the Wayne Circuit Court for the appointment of appellate counsel. The circuit court shall transmit a copy of the order appointing counsel to the Clerk of this Court within 7 days of the decision. Appointed counsel shall file defendant's appellee's brief within 35 days of the date of this order. MCR 7.212(A)(2)(a)(ii). The prosecutor may file a reply brief.

This Court retains jurisdiction. This order has immediate effect. MCR 7.215(F)(2).



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

October 5, 2020  
Date

  
Chief Clerk